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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

DOUGLAS D. SMITH ET AL.

Serial No.: 10/764,239

Confirmation No.: 8029

Filing Date: January 22, 2004

For: MEMORY CELL WITH FUSE
ELEMENT

Examiner: David Lam

Group Art Unit: 2818

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Date of Deposit: August 16, 2004

**TERMINAL DISCLAIMER TO OBVIATE ANY
DOUBLE PATENTING REJECTION (37 CFR 1.321(c))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Interest of Entity Making This Disclaimer

Broadcom Corporation (hereinafter referred to as "Broadcom") is the assignee of the entire interest in the above application, as well as copending U.S. Patent Application Serial No. 10/352,417.

Disclaimer

Broadcom hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of any patent granted on copending U.S. Patent Application Serial No. 10/352,417, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only during such period that said patent is commonly owned with any patent granted on copending U.S. Patent Application Serial No. 10/352,417, this

agreement to run with any patent granted on the above-identified applications and to be binding upon the grantee and its successors or assigns.

It is to be understood from the foregoing language that Broadcom does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the term of any patent granted on said copending U.S. Patent Application Serial No. 10/352,417, even if the effective life of any patent granted on said copending U.S. Patent Application Serial No. 10/352,417, is shortened by a subsequent event (such as, for example, failure to pay a maintenance fee, a court or Patent Office ruling, or a disclaimer by the Patentee).

Fee Status (37 C.F.R. 1.20(d))

Please charge the fee to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Evidentiary Statement

The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned, and it is certified that, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

Dated: August 16, 2004

Respectfully submitted,



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